



## **IN THE COURT OF CRIMINAL APPEALS OF TEXAS**

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**NO. WR-70,651-03**

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**EX PARTE ADAM KELLY WARD, Applicant**

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**ON APPLICATION FOR POST-CONVICTION WRIT OF HABEAS CORPUS  
AND MOTION TO STAY THE EXECUTION  
FROM CAUSE NO. 23,182 IN THE 354<sup>TH</sup> JUDICIAL DISTRICT COURT  
HUNT COUNTY**

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***Per curiam.* ALCALA, J., filed a concurring statement. NEWELL, J., filed a concurring statement.**

### **ORDER**

This is a subsequent application for a writ of habeas corpus filed pursuant to the provisions of Texas Code of Criminal Procedure Article 11.071, § 5, and a motion to stay applicant's execution.

In June 2007, a jury found applicant guilty of the offense of capital murder. The jury answered the special issues submitted pursuant to Texas Code of Criminal Procedure Article 37.071, and the trial court, accordingly, set applicant's punishment at death. This

Court affirmed applicant's conviction and sentence on direct appeal. *Ward v. State*, No. AP-75,750 (Tex. Crim. App. Feb. 10, 2010)(not designated for publication).

Applicant filed his initial post-conviction application for writ of habeas corpus in the convicting court on December 1, 2009. This Court denied applicant relief. *Ex parte Ward*, No. WR-70,651-02 (Tex. Crim. App. Oct. 6, 2010)(not designated for publication).<sup>1</sup> Applicant filed this his first subsequent writ application in the trial court on March 4, 2016.

In his application, applicant makes a single claim that evolving standards of decency should exempt him from execution because he is a severely mentally ill individual. After reviewing his application, we have determined that applicant has failed to meet the dictates of Article 11.071, § 5. Accordingly, we dismiss the application as an abuse of the writ without considering the merits of the claim, and we deny his motion to stay the execution.

IT IS SO ORDERED THIS THE 14<sup>TH</sup> DAY OF MARCH, 2016.

Do Not Publish

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<sup>1</sup> Applicant's -01 writ was a writ of mandamus filed in this Court requesting that the trial court be ordered to replace his direct appeal counsel. Although direct appeal counsel was replaced, we denied applicant leave to file the writ of mandamus. *Ex parte Ward*, No. WR-70,651-01 (Tex. Crim. App. Nov. 19, 2008)(not designated for publication).